

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NIC INSURANCE COMPANY,

No. C 07-05988 CW

Plaintiff,

CONDITIONAL ORDER  
OF DISMISSAL

v.

APPIAN CONSTRUCTION CO., INC., et al.,

Defendants.

The parties hereto, by their counsel, having advised the Court that they have agreed to a settlement of this cause,

IT IS HEREBY ORDERED that this cause be dismissed with prejudice; provided, however, that if any party hereto shall certify to this Court, with proof of service of a copy thereon on opposing counsel, within twenty-one months from the date hereof, that the agreed consideration for said settlement has not been delivered over, the foregoing Order shall stand vacated and this cause shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: 11/20/08



CLAUDIA WILKEN  
United States District Judge